

**From:** Foell, Stephanie  
**To:** Spurgeon, Lawrence; Miyamoto, Faith  
**Sent:** 6/15/2009 11:03:47 AM  
**Subject:** FW: Fw: Pearl Harbor NHL

# Redacted

-----Original Message-----

From: Paul\_Lusignan@nps.gov [mailto:Paul\_Lusignan@nps.gov]  
Sent: Monday, June 15, 2009 5:00 PM  
To: Foell, Stephanie  
Subject: RE: Fw: Pearl Harbor NHL

Stephanie,

Section 106 has as its basis assessing impacts on properties listed in or eligible for listing in the National Register. I'm not sure that National Monuments designation alone would play any particular role under the NHPA divorced from the NR eligibility of the resources within the National Monument. (In other words the first step in the 106 process for a National Monument would still be identifying if any properties in the monument met the NR Criteria or were previously listed. And then using that status to assess impacts.) There are plenty of natural National Monuments (with no NR-eligible sites) that would have no role in the Section 106 process.

For the Pearl Harbor properties in the WWII Valor NM the NHL status would become the basis for any 106 work. The language of the Executive order creating the WWII Valor and other National Monuments sometimes spell out particular management approaches that may or may not be in-line with all the varied options available to NHLs, so I guess you might look to the EO as a potential additional layer of scrutiny in assessing proper actions in connection with these sites.

I guess the Advisory Council on Historic Preservation might have additional experience with National Monuments beyond my limited knowledge.

Paul R. Lusignan  
Historian  
National Register of Historic Places  
National Park Service  
(202) 354-2229  
(202) 371-2229 fax

"Foell,  
Stephanie"

<Foell@pbworld.co  
To  
m> <Paul\_Lusignan@nps.gov>

cc  
06/15/2009 04:37  
<Ricah\_Marquez@contractor.nps.gov>,  
PM "Spurgeon, Lawrence"

AR00134706

<Spurgeon@pbworld.com>,  
"Miyamoto,  
Faith" <fmiyamoto@honolulu.gov>,

"Hogan, Steven"  
<Hogan@pbworld.com>

Subject  
RE: Fw: Pearl Harbor NHL

Hi Paul,

Thank you so much for this explanation, and for the link to the boundary description. This is so helpful and I appreciate your time. I have been combing federal legislation trying to make sense of a comment that Dr. Elaine Jackson-Retondo of NHL's Pacific West Regional Office made to our project team on a conference call on June 5, 2009, wherein she stated that the National Monument was automatically listed in the National Register and should be treated as an NR resource for Section 106 evaluation. As you know, Section 106 has provisions for evaluating effects on NR listed and eligible resources, and for NHLs, but does not provide direction for national monuments. Do you have any experience with approaches to assessing effects on national monuments? As you stated, the section that is designated as the national monument is already contained in the NHL, so perhaps that NHL designation would cover any effects assessment issues and would suffice here?

Again, thank you for this explanation. (And Ricah, I so appreciate your excellent help as well!)

Stephanie Foell

Stephanie S. Foell  
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-----Original Message-----

From: Paul\_Lusignan@nps.gov [mailto:Paul\_Lusignan@nps.gov]  
Sent: Monday, June 15, 2009 4:27 PM  
To: Foell, Stephanie  
Cc: Ricah\_Marquez@contractor.nps.gov  
Subject: Re: Fw: Pearl Harbor NHL

Stephanie,

National Monuments are totally different and separate from the National Historic Landmarks and National Register of Historic Places programs.

AR00134707

The WWII Valor NM was an executive designation made by President Bush. Such sites are not automatically listed in the National Register of Historic Places (see 36 CFR 60.1 for the list of properties added to the Register).

In fact most National Monument designations are made for natural areas that may or may not even contain historic cultural sites.

The designation of a national monument is not the same as the establishment of a new historic unit of the National Park System, which does carry with it automatic NR listing. The fact that several of the sites contained within the WWII Valor NM were already owned and managed by the National

Park Service may have confused the issue to some degree. Most, if not all, of the 9 sites designated under the new National Monument were previously listed in the National Register or as NHLs. The precise boundaries of the National Monument designation, however, were spelled out in the executive order, and do not necessarily coincide with the boundaries set forth in the NR and NHL documentation. National Monument boundaries are typically confined to the "smallest area compatible with the proper

care and management of the objects to be protected." For the boundaries

specified in the WWII Valor NM see:

<http://www.gpo.gov/fdsys/pkg/FR-2008-12-10/pdf/E8-29344.pdf>

or Federal Register , December 10, 2008, Vol. 73 No 238 Page 75293

Please let me know if you have any additional questions.

Paul R. Lusignan  
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National Park Service  
(202) 354-2229  
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Ricah

Marquez/Contracto

r/NPS  
To  
Paul Lusignan/WASO/NPS@NPS

06/15/2009 03:26

cc  
PM

Subject  
Fw: Pearl Harbor NHL

Hi Paul,

Stephanie Foell is inquiring about the WWII Valor in the Pacific National Monument. I could not find information regarding this NHL. I've sent her PDFs of the Pearl Harbor NHL and the USS Arizona Wreck NHL because they're associated with her main search.

What info do you have on the WWII Valor listing?

Thanks!

Ricah.

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----- Forwarded by Ricah Marquez/Contractor/NPS on 06/15/2009 03:23 PM

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"Foell,

Stephanie"

<Foell@pbworld.co

To

m>

<Ricah\_Marquez@contractor.nps.gov>

cc

06/15/2009 03:21

PM

Subject

RE: Pearl Harbor NHL

Hi Ricah--

Thanks so much for your help! All of this information sounds great and will prove useful. Was there any information on the World War II Valor in the Pacific National Monument? What I need most is information on the national monument's boundaries within Pearl Harbor. (I don't need information on other locations such as Guam. Just Pearl Harbor.) According to advice from western NHL staff, national monuments are automatically listed in the National Register, but we understand that the monument's boundaries do not coincide with the Pearl Harbor NHL boundary.

Thanks for any insight you can offer.

Stephanie

AR00134709

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-----Original Message-----

From: Ricah\_Marquez@contractor.nps.gov  
[mailto:Ricah\_Marquez@contractor.nps.gov]  
Sent: Monday, June 15, 2009 3:15 PM  
To: Foell, Stephanie  
Subject: Pearl Harbor NHL

Hi Stephanie,

I've attached a document (TIF version) on the U.S.S. Arizona Wreck (NR #89001083).  
It is a memo explaining that the Arizona is part of the Pearl Harbor NHL file.  
(See attached file: 00000001.TIF)

I will be sending you the following:

- 1) the U.S. Naval Base: Pearl Harbor NHL form
  - 2) the U.S. Naval Base: Pearl Harbor NHL pictures
  - 3) Arizona USS Wreck NHL form (this information is strictly about the ship, but I thought you would need it)
  - 4) and accompanying pictures
  - 5) via USPS, I'll send you the photocopies of the topo maps showing Pearl Harbor boundaries.
- The maps were not digitized.

Let me know if you have anymore questions or requests.

Thanks,  
Ricah.

-----  
M. Ricah Marquez - Archivist  
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National Park Service  
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Washington, DC 20005

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www.nps.gov/history/nr

The National Register, maintained by the National Park Service, Department of Interior, is the nation's official list of districts, buildings, sites, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

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